EXHIBIT 7

TO DECLARATION OF ALAN P. BLOCK IN SUPPORT OF PLAINTIFF ACACIA MEDIA TECHNOLOGIES CORPORATION'S MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO ROUND 3 DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY UNDER 35 U.S.C. § 112 OF THE '992, '863, AND '702 PATENTS; AND SATELLITE DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE '992, '863, AND '720 PATENTS

Hovsepian v. Apple, Inc.

Doc. 324 Att. 2

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PATENT
Attorney Docket No. 02473.0001-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of	)	
Paul Yurt, et al.	)	
Serial No. 07/637,562	)	Group Art Unit: 262
Filed: January 7, 1991	)	Examiner: R. Smith
For: AUDIO AND VIDEO TRANSMISSION AND RECEIVING SYSTEM	)	

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Hon. Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

AMENDMENT

In response to the Office Action dated August 29, 1991, the period of response to which extends through November 29, 1991, please amend the above captioned application as follows.

IN THE SPECIFICATION:

Page 9, line 9, change "systema" to --systems--.

Page 11, line 3, change "is" to --as--;

line 7, change "send a movie" and insert --have a movie sent--; and

line 14, after "items" insert --for--.

Page 13, line 25, change "communicated" to --communicate--.

Page 14, line 15, change "the any of" to --any of the--.

Page 16, line 14, after "such" insert --as in--; and

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040 RP 10/03/91 07637562 1 203 360.00 CK

line 20, after "notes" insert --which--.

Page 17, line 5, after "information" insert --is--.

Page 21, line 8, after "application" insert --of--.

Page 23, line 25, change "122" to --112--.

Page 31, line 16, change "source material library 111" to --compressed data library 118--.

Page 32, line 6, change "of" to --for--.

Page 34, line 15, change "stored" to --processed--.

Page 35, line 4, change "receivingsystem" to --receiving system--.

Page 36, line 12, after "ISDN" insert --channel--; and

line 17, after "DBS" insert --,-- (comma).

Page 43, line 3, delete "may be" (SECOND OCCURRENCE).

IN THE CLAIMS:

Please amend claims 1-8, 10, 11, 13, 18, 19, 22, 26, 27, and 29-31 as follows.

1. (Amended) A transmission system for providing information to remote locations, the transmission system comprising:

library means for storing items containing information;

identification encoding means for retrieving the information [for] in the items from the library means and for assigning a unique identification code to the retrieved information;

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conversion means, coupled to the identification encoding means, for placing the retrieved information into a predetermined format as formatted data;

ordering means, coupled to the conversion means, for placing the formatted data into a sequence of addressable data blocks;

compression means, coupled to the ordering means, for compressing the formatted and sequenced data blocks;

compressed data storing means, coupled to the data compression means, for storing as a file the compressed, sequenced data blocks received from the data compression means with the unique identification code assigned by the identification encoding means; and

transmitter means, coupled to the compressed data storing means, for sending at least a portion of a file to one of the remote locations.

2. (Amended) A transmission system as recited in claim 1, wherein the transmitter means includes:

transmission format means for placing the [composite formatted] compressed, sequenced data [block] blocks onto a communication path.

3. (Amended) A transmission system as recited in claim 1, wherein the information in the items includes analog signals, and wherein the conversion means further comprises:

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converting means, coupled to the identification encoding means, for A/D converting the analog [data] signals of the [retrieved] information into a series of digital data bytes; and

formatting means, coupled to the converting means, for converting the series of digital data bytes into formatted data with a predetermined format.

4. (Amended) A transmission system as recited in claim 1, wherein the information in the items includes digital signals, and wherein the conversion means further comprises:

digital input receiver means, coupled to the identification encoding means, for converting the digital [data] signals of the [retrieved] information into predetermined voltage levels; and

formatting means, coupled to the digital input receiver means, for converting the predetermined voltage levels into formatted data with a predetermined format.

5. (Amended) A transmission system as recited in claim 3, wherein the information in the items includes digital signals, and wherein the conversion means further comprises:

digital input receiver means, coupled to the identification encoding means, for converting the digital

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[data] signals of the [retrieved] information into predetermined voltage levels; and

voltage levels adjusting ~~formatting~~ means, coupled to the digital input receiver means, for converting the predetermined voltage levels into formatted data with the predetermined format.

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6. (Amended) A transmission system as recited in claim 2, wherein the compressed data storing means further comprises:

compressed data library means for separately storing [composite formatted] a plurality of files, each including at least one compressed, sequenced data [blocks for each of the files converted and stored] block.

Claim 7, line 4, delete "visual".

Claim 8, line 4, after "data" insert --blocks--.

Claim 10, line 1, change "and" to --or--.

Claim 11, line 1, change "and" to --or--.

Claim 13, line 3, delete "repeating".

Sub C2

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18. (Amended) A distribution method responsive to requests identifying items containing information to be sent from a transmission system to remote locations, the method comprising the steps of:

storing [audio and video] information from items in a compressed data form, in which the information includes an identification code and is placed into ordered data blocks;

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requesting transmission, by a user, of at least a part of the stored [compressed data] information to a remote location selected by the user;

sending at least a portion of the stored [compressed] information to the remote location;

receiving the sent information at the remote location;

buffering the received information at the remote location; and

playing back the buffered information [in real time] at a time requested by the user.

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19. (Twice Amended) The distribution method as recited in claim 18, wherein the information in the items includes analog and digital signals, and wherein the step of storing [further] comprises the steps of:

converting the analog signals of the information to digital components;

formatting the digital [data] signals of the information;

ordering the converted analog [data] signals and the formatted digital [data] signals [in] into a [predetermined] sequence of addressable data blocks and;

compressing the ordered information.

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22. (Twice Amended) A receiving system responsive to a user input identifying a choice of an item stored in a source material library to be played back to [the subscriber] a user

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at a location remote from the source material library, the item containing information to be sent from a transmitter to the receiving system, the receiving system comprising:

requesting means, for transmitting to the source material library the identity of the item;

transceiver means, coupled to the requesting means, for [automatically] receiving the [information] item from the transmitter as at least one compressed, formatted data [blocks] block;

receiver format conversion means, coupled to the transceiver means, for converting the at least one compressed, formatted data [blocks] block into a format suitable for storage, [and] processing, and for playback in real time;

storage means, coupled to the receiver format conversion means, for storing the [compressed] formatted data;

decompressing means, coupled to the receiver format conversion means, for decompressing the [compressed] formatted data; and

output data conversion means, coupled to the decompressing means, for playing back the decompressed data [in real time] at a time specified by the user.

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~~26~~ 29. (Amended) A receiving system as recited in claim ~~22~~ 25, wherein the formatted data includes video information, and wherein the [decompression] decompressing means further comprises:

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video signal [decompression] decompressing means for decompressing the video information contained in the [compressed] formatted [information] data.

~~27~~ 30. (Amended) A receiving system as recited in claim ~~26~~ 29, wherein the output data conversion means further comprises:

digital video output means, connected to the video signal [decompression] decompressing means, for outputting a digital video signal [contained in the video information]; and

analog video output means, connected to the video signal [decompression] decompressing means, for outputting an analog video signal [contained in the video information].

~~29~~ 32. (Amended) A receiving system as recited in claim ~~22~~ 25, wherein the formatted data includes audio information, and wherein the [decompression] decompressing means further comprises:

audio signal [decompression] decompressing means for decompressing the audio information contained in the [compressed] formatted [information] data.

~~30~~ 33. (Amended) A receiving system as recited in claim ~~29~~ 32, wherein the output data conversion means further comprises:

digital audio output means, connected to the audio signal [decompression] decompressing means, for outputting a

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digital audio signal [contained in the audio information]; and

analog audio output means, connected to the audio signal [decompression] decompressing means, for outputting an analog audio signal [contained in the audio information].

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~~31~~ 34. (Amended) A receiving system as recited in claim ~~22~~ 25, wherein the formatted data includes audio and video information, and wherein the [decompression] decompressing means further comprises:

video signal [decompression] decompressing means for decompressing the video information contained in the [compressed] formatted [information] data; and

audio signal [decompression] decompressing means for decompressing the audio information contained in the [compressed] formatted [information] data.

Please add the following new claims 33-58:

~~33~~ 18. A transmission system as recited in claim 1, wherein the information in the items includes digital signals, and wherein the conversion means further comprises formatting means for converting the digital signals of the information into formatted data with a predetermined format.

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34. The distribution method as recited in claim 18, wherein the step of buffering includes the step of buffering

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~~the received information at the head end of a cable television reception system.~~

~~35. The distribution method as recited in claim 18, wherein the step of buffering includes the step of buffering the received information in an intermediate storage device.~~

36. A receiving system as recited in claim ~~22~~ 25, wherein the source material library is a compressed data library.

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37. A receiving system as recited in claim ~~26~~ 29, wherein the output data conversion means further comprises digital video output means, connected to the video signal decompressing means, for outputting a digital video signal.

38. A receiving system as recited in claim ~~26~~ 29, wherein the output data conversion means further comprises analog video output means, connected to the video signal decompressing means, for outputting an analog video signal.

39. A receiving system as recited in claim ~~29~~ 32, wherein the output data conversion means further comprises digital audio output means, connected to the audio signal decompressing means, for outputting a digital audio signal.

40. A receiving system as recited in claim ~~29~~ 32, wherein the output data conversion means further comprises analog

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audio output means, connected to the audio signal decompressing means, for outputting an analog audio signal.

41. A method of transmitting information to remote locations, the transmission method comprising the steps of:

storing items having information in a source material library;

retrieving the information in the items from the source material library;

assigning a unique identification code to the retrieved information;

placing the retrieved information into a predetermined format as formatted data;

placing the formatted data into a sequence of addressable data blocks;

compressing the formatted and sequenced data blocks;

storing, as a file, the compressed, formatted, and sequenced data blocks with the assigned unique identification code; and

sending at least a portion of the file to one of the remote locations.

42. A transmission method as recited in claim 41, wherein the step of placing further includes the steps of:

A/D converting analog signals of the retrieved information into a series of digital data bytes; and

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converting the series of digital data bytes into formatted data with a predetermined format.

43. A transmission method as recited in claim 41, wherein the step of placing further includes the steps of:

converting digital signals of the retrieved information into predetermined voltage levels; and

converting the predetermined voltage levels into formatted data with a predetermined format.

44. A transmission method as recited in claim 41, wherein the step of placing further includes the step of converting digital signals of the retrieved information into formatted data with a predetermined format.

45. A transmission method as recited in claim 41, wherein the ~~compressed data~~ storing step ~~means~~ further comprises the step of:

separately storing a plurality of files, each including compressed, sequenced data blocks.

46. A transmission method as recited in claim 45, further comprising the steps of:

generating a listing of available items;

receiving transmission requests to transmit available items; and

retrieving stored formatted data blocks corresponding to requests from users.

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47. A distribution system which is responsive to requests identifying items containing information to be sent from a transmission system to remote locations, the distribution system comprising:

storage means for storing information from the items in a compressed data form, in which the information includes an identification code and is placed into ordered data blocks;

requesting means, coupled to the storage means, for requesting transmission, by a user, of at least a part of the stored information to a remote location selected by the user;

transmission means, coupled to the requesting means, for sending at least a portion of the stored information to the selected remote location;

receiving means, coupled to the transmission means, for receiving the transmitted information at the selected remote location;

buffering means, coupled to the receiving means, for buffering the received information at the selected remote location; and

playback means, coupled to the buffer means, for playing back the buffered information at the selected remote location at a time requested by the user.

48. A distribution ~~method~~ system as recited in claim 47, wherein the information in the items includes analog and

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digital signals, and wherein the storage means further comprises:

conversion means, for converting the analog signals of the information to digital components;

formatting means, coupled to the conversion means, for formatting the digital signals of the information;

ordering means, coupled to the formatting means, for ordering the converted analog signals and the formatted digital signals into a sequence of addressable data blocks and;

compression means, coupled to the ordering means, for compressing the ordered information.

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49. A distribution method as recited in claim 47, wherein the buffering means receives information at the head end of a cable television reception system.

50. A distribution method as recited in claim 47, wherein the head end of the cable television reception system decompresses and distributes decompressed signals.

51. A distribution method as recited in claim 47, wherein the head end of the cable television reception system distributes compressed signals.

52. A distribution method as recited in claim 47, wherein the head end of the cable television reception system

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decompresses and distributes decompressed signals and distributes compressed signals.

53. A distribution ~~method~~ system as recited in claim 47, wherein the ~~buffering~~ memory means is an intermediate storage device.

54. A method of receiving information which is responsive to a user input identifying a choice of an item stored in a source material library to be played back to the user at a location remote from the source material library, the item containing information to be sent from a transmitter to a receiver, the receiving method comprising the steps of:

transmitting to the source material library the identity of an item;

receiving the item from the transmitter as at least one compressed formatted data block;

converting the at least one compressed formatted data block into a format suitable for storage processing and for playback in real time;

storing the converted information;

decompressing the stored information; and

playing back the decompressed information at a time specified by the user.

55. A receiving method, as recited in claim 54, wherein the decompressing step further includes the step of

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decompressing video information contained in the stored information.

56. A receiving method as recited in claim 54, wherein the decompressing step further includes the step of decompressing audio information contained in the stored information.

57. A receiving method as recited in claim 54, wherein the decompressing step further includes the steps of:

decompressing video information contained in the stored information; and

decompressing audio information contained in the stored information.

58. A receiving method as recited in claim 54, wherein the step of transmitting further includes the step of transmitting to a compressed data library the identity of an item.--

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REMARKS

In the Office Action dated August 29, 1991, the Examiner objects to claims 10 and 11 under 37 C.F.R. § 1.75(c) as being in improper form; rejects claims 1-6, 8, 9, 12-17, 22-27, and 29-32 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 4,963,995 issued to Lang; rejects claims 7 and 18-21 under 35 U.S.C. § 103 as being unpatentable over

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Lang in view of U.S. Patent No. 4,947,244 issued to Fenwick et al.; and objects to claim 28 as being dependent upon a rejected base claim.

On behalf of the Applicants, the undersigned thanks the Examiner for the courtesy extended during the personal interview conducted on September 25, 1991. In response to the outstanding Office Action, and in light of the discussion during the interview with the Examiner, Applicants have made the following specification and claim amendments and offer the comments set forth below.

Specifically, Applicants have amended the specification to correct several minor errors and have amended claims 10 and 11 in the manner suggested by the Examiner. Particularly, Applicants amended page 31, line 16 of the specification is order to make it consistent with page 29, lines 8-11 of the specification. Applicants have also amended claims 1-8, 13, 18, 19, 22, 26, 27, 29, 30, and 31, to define the present invention more appropriately and have added claims 33-40, which depend variously from independent claims 1, 18, and 22, for aspects of the disclosed invention for which the original claims did not specifically provide.

Applicants also have added independent claims 41, 47, and 54 which correspond generally with independent claims 1, 18, and 22, in order to obtain full apparatus and method coverage consistent with coverage provided by the original claims. Dependent claims 42, 43, 45, 46, and 55-57, respectively, correspond generally to claims 3, 4, 6, 7, 19,

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26, 29, and 31. Dependent claims 44, 49, 53, and 58, respectively, correspond generally to new dependent claims 33, 34, 35, and 36. Applicants have also added dependent claims 50-52 to further define the distribution system recited in new independent claim 40.

Claims 1-58 are pending in the patent application. The following remarks address the Examiner's objections and rejections in the order presented in the outstanding Office Action.

In paragraph 2 of the Office Action the Examiner objects to claims 10 and 11 as being in improper from. In response, Applicants have amended each of claims 10 and 11 to recite the dependency as "one of claims 1 or 9." Applicants therefore request reconsideration and withdrawal of this objection and examination of these claims.

In paragraph 4 of the Office Action, the Examiner rejects claims 1-6, 8, 9, 12-17, 22-27, and 29-32 under 35 U.S.C. § 102(e) as being anticipated by Lang. This position is respectfully traversed.

The Examiner characterizes Lang by stating that it "discloses a video/audio storage system which is capable of providing information to remote locations." Particularly, the Examiner asserts that Lang includes library means as element 11. Applicants disagree.

Element 11 of Lang is not a library means as used in the present invention, but merely an audio video recording unit (AVRU) which "may be a video cassette recorder similar to a

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conventional VCR in which the storage media 23 is a magnetic tape." See col. 1, lines 38-40 of Lang. As claim 7 recites, the information in the stored items of the library means is later reformatted, converted, and compressed for storage in a compressed data storage means in the same format. Thus, a library means may have analog video tapes stored in their original formats, but the information in each tape will be converted into a predetermined format, ordered into data blocks, and compressed before being stored into compressed data storing means.

The AVRU 11 of Lang and the claimed library means are not analogous. AVRU 11 uses a standard video tape that is not a library means. Lang "envisions" a library at some time in the future. (See col. 7, line 67 through col. 8, line 2 of Lang), but such a library is clearly not AVRU 11. Moreover, Applicants submit that the incorporation of a library into the system in Lang is only envisioned because of a lack of knowledge of how to incorporate such a library. Applicants, however, have solved the problems left open in Lang.

Further regarding claim 1, the Examiner argues that col. 4, lines 28-31 of Lang discloses the recited identification encoding means. This cannot be because the functions of the identification encoding means are to retrieve of information from the source material library means and to assign a unique identification code to the retrieved information. The referenced section of Lang

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performs neither function. That section discloses that "the sync signals are decoded to isolate signals for each picture frame for processing." Such "isolation" is not retrieval of information or assigning of an identification code as called for in independent claim 1. At best it is a type of decoding wholly unrelated to any of the elements of claim 1.

The Examiner also asserts that col. 4, lines 41-54 of Lang shows the ordering means, also recited in independent claim 1. The ordering means places the formatted data into a sequence of addressable data blocks. The referenced section of Lang merely discusses dividing each frame into an array of pixels. Thus, the system in Lang does not place data into a sequence of addressable data blocks, or suggest such an operation.

In the Office Action, the Examiner did not explicitly address the claims dependent from claim 1 or point out where Lang discloses their limitations.

Many of those claims, however, have independent bases for patentability.

For example, Lang does not disclose the formatting means recited in claims 3, 4, and 5, or the compressed data library means recited in claim 6. Additionally, while Lang discloses compression (see col. 4, lines 63-65), Lang does not show the precompression processing means of claim 8. Finally, Lang does not disclose either the means for performing multi-dimensional analysis of claim 12, the means for identifying repeating patterns of claim 13, or the particulars of the

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multi-dimensional analysis means recited in each of claims 14-17.

Regarding amended independent claim 22, Lang does not disclose a receiver which is responsive to user requests from a source material library remote from the receiver. Particularly, Lang is not concerned with allowing users to access remote materials, but with improving the functionality of a conventional VCR. Moreover, while Lang discloses an operating mode in which a first VCR-ET transmits information to a second VCR-ET, in such a mode the second VCR-ET merely acts as a passive receiver, not as a device which transmits requests to a source material library. See col. 9, line 55 through col. 10, line 5 of Lang. There is no indication in Lang that the second VCR-ET requests information or in any way selects what information should be sent to it.

Finally, Lang does not teach or suggest a receiving system (i.e., a second VCR-ET) which receives information as compressed, formatted data blocks, as required in amended independent claim 22. In this sense, claim 22 is allowable for many of the same reasons as claim 1 is. The data received by the receiving system in claim 22 is in the format of the data transmitted by the transmission system of claim 1, and just as the formatting functions of claim 1 are not taught by the art, neither are the "deformatting" functions of claim 22.

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In view of the arguments set forth above, independent claims 1 and 22, and claims 2-6, 8, 9, 12-17, 23-27, and 29-32, which depend variously therefrom, are not anticipated by Lang. Applicants therefore respectfully request reconsideration and withdrawal of this rejection. Because there is also no objective teaching in Lang which would lead one of ordinary skill in the art to modify the structure disclosed in Lang to arrive at the elements of Applicants' claimed combination, Applicants submit that claims 1-6, 8, 9, 12-17, 22-27, and 29-32 are allowable over Lang.

In paragraph 5 of the Office Action, the Examiner rejects claims 7 and 18-21 under 35 U.S.C. § 103 as being unpatentable over Lang in view of U.S. Patent No. 4,947,244 issued to Fenwick et al. This position is also respectfully traversed.

In the rejection of independent claim 18, the Examiner correctly observes that Lang does not "provide any particulars" regarding "the requesting of the information at a remote location." See page 3, paragraph 3, lines 2-4 of the outstanding Office Action. The Examiner is apparently relying on Fenwick et al. for such a teaching. Fenwick et al., however, contains no such teaching because the requesting remote location of Fenwick et al. is not analogous to the remote location of the present invention.

Further, Fenwick et al. does not provide a system in which the requested information is buffered at the remote location, which is typically the receiving apparatus of the

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user, as required in independent claim 18. Rather, in Fenwick et al., the user's choice is sent to the system's central controller 116. The central controller 116 then enables the selected video source and sets up the crossbar switch 150 so that the selected video is switched onto the transmission cable and displayed. Thus in Fenwick et al., the user's selection is played immediately when chosen.

In contrast, claim 18 requires that the requested information is buffered at the remote location so that the requested information can be played back at any time. Applicants assert that Fenwick et al. may not be properly considered as including such buffering means because in Fenwick et al., each video cassette or video disk source is coupled to only one video monitor at a time. Further, Fenwick et al. uses screen buffers 270 only for non-copyrighted material and this buffer is located in the system controller, not at the remote location, as in the present invention. See col. 10, line 26 through col. 11, line 2 of Fenwick et al.

Fenwick et al. also does not disclose a system in which a user can select a remote location to which a selected item is sent. Rather in Fenwick et al., a selection can only be sent to the video monitor 102 from which the user issues commands. See col. 4, lines 21-24 of Fenwick et al.

Finally, in Fenwick et al., information is sent to a user from video sources 112. The video sources are video cassette players which hold videotapes. See col. 5, lines

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15-22 of Fenwick et al. The information from the video sources 112 is sent directly to video monitors 102. Because the information which is sent to video monitors is in the form of video tapes in Fenwick et al., this reference does not disclose storing information as data blocks with an identification code, as recited in amended independent claim 18.

Moreover, even if Fenwick et al. had such a teaching, there is no motivation to combine the teachings of Lang and Fenwick et al. Lang is directed to an improved VCR while Fenwick et al. is directed to a system which distributes selected video programs to a number of independently controlled video monitors. Accordingly, one of ordinary skill in the art of VCRs would not look to Fenwick et al. to address the problems of VCRs.

Therefore Applicants submit that independent claim 18 and claims 19-21, which depend therefrom, are allowable over Lang in view of Fenwick et al.

Regarding claim 7, Applicants assert that Fenwick et al. does not make up for the deficiencies noted above with respect to Lang. For example, Fenwick et al. does not teach or suggest either the identification encoding means or the ordering means recited in independent claim 1. Therefore, Applicants submit that claim 7, which depends from independent claim 1 is allowable over any reasonable combination of Lang and Fenwick et al.

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In view of the arguments presented above, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 7 and 18-21 under 35 U.S.C. § 103 over Lang in view of Fenwick et al.

By this Amendment, Applicants have added new claims 33-58. Claim 33 depends from independent claim 1 and further defines the conversion means. Claims 34 and 35 each depend from claim 18 and recite respectively aspects of Figs. 1d and 1f. Specifically, claim 34 sets forth that information may be buffered at the head end of a cable television reception system 200 and claim 35 recites that information is buffered at an intermediate storage device 200'.

Claim 36 depends from claim 22 and further defines the source material library of the reception system defined in claim 22. Specifically, claim 36 includes a recitation that a request may be made by a user from a compressed data library, as set forth at page 29, lines 8-11 of Applicants' specification.

Claims 37 and 38 also depend from claim 22 and separately recite the limitations of claim 27. Similarly, claims 39 and 40 depend from claim 22 and separately recite the limitations of claim 30.

New independent claim 41 claims a transmission method, claim 47 a distribution system, and claim 54 a receiving method. Claims 41, 47, and 54, respectively track independent claims 1, 18, and 22. Dependent claims 42, 43, 45, 46, 48, and 55-57, respectively, correspond generally to

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claims 3, 4, 6, 7, 19, 26, 29, and 31. Dependent claims 44, 49, 53, and 58, respectively, correspond generally to new dependent claims 33, 34, 35, and 36. New claims 50-52, which depend from new independent claim 47, further define the head end of the cable television system shown in Fig. 1f.

For the reasons set forth above with respect to claims 1, 18, and 22, independent claims 41, 47, and 54, and the claims which depend variously therefrom are allowable over Lang and over Lang in view of Fenwick et al.

In light of the remarks made above, Applicants respectfully request reconsideration and withdrawal of the objection under 37 C.F.R. § 1.75(c) and the rejections under 35 U.S.C. §§ 102(e) and 103, allowance of pending claims 1-58, and issuance of a Notice of Allowance in this case.

If any fees are due in connection with the filing of this Amendment, the Commissioner is hereby authorized to charge any such fees to our Deposit Account No. 06-916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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